

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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**NRP HOLDINGS LLC, and  
NRP PROPERTIES LLC,**

Plaintiffs,

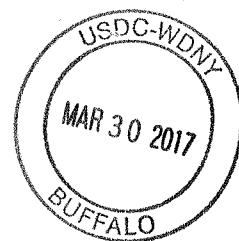
v.

**CITY OF BUFFALO, BYRON W. BROWN, STEVEN  
M. CASEY, DEMONE A. SMITH, RICHARD A.  
STENHOUSE, BUFFALO JEREMIAH PARTNERSHIP  
FOR COMMUNITY DEVELOPMENT, INC., CITY OF  
BUFFALO URBAN RENEWAL AGENCY, JOHN DOES 1-  
10, and JOHN DOE COMPANIES 1-5,**

Civ. No 11-CV-472(WMS)

Defendants.

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## APPEAL INDEX

APPEAL,CASREF,CLOSED\_2017,MEDIATION

**U.S. DISTRICT COURT**  
**U.S. District Court, Western District of New York (Buffalo)**  
**CIVIL DOCKET FOR CASE #: 1:11-cv-00472-WMS-LGF**

NRP Holdings LLC et al v. City of Buffalo et al  
Assigned to: Hon. William M. Skretny  
Referred to: Hon. Leslie G. Foschio  
Demand: \$1,000,000  
Cause: 18:1962 Racketeering (RICO) Act

Date Filed: 06/06/2011  
Date Terminated: 02/27/2017  
Jury Demand: Both  
Nature of Suit: 470 Racketeer/Corrupt Organization  
Jurisdiction: Federal Question

**Plaintiff****NRP Holdings LLC**

represented by **Thomas S. Lane**  
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**Plaintiff**

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V.

**Defendant**

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*TERMINATED: 08/12/2016*

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*TERMINATED: 08/12/2016*

**Defendant**

**Bryon W. Brown**

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*ATTORNEY TO BE NOTICED*

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**James W. Grable , Jr.**  
(See above for address)  
*TERMINATED: 08/12/2016*

**Terrence M. Connors**  
(See above for address)  
*TERMINATED: 08/12/2016*

**Defendant**

**Demone A. Smith**

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(See above for address)  
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**Michael A. Brady**  
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**Daniel J. Brady**  
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*TERMINATED: 08/18/2016*

**Defendant**

**Richard A. Stenhouse**  
*TERMINATED: 01/13/2012*

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**Defendant**

**Buffalo Jeremiah Partnership for  
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*TERMINATED: 01/13/2012*

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John Leonard Sinatra , Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JOHN DOE 1 - 10**

**Defendant**

**JOHN DOE COMPANIES 1 - 5**

**Defendant**

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**Terrence M. Connors**

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**Defendant**

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*TERMINATED: 08/31/2016*  
*LEAD ATTORNEY*

Date Filed	#	Docket Text
06/06/2011	<u>1</u>	COMPLAINT against All Defendants, filed by NRP Properties LLC, NRP Holdings LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(DR) (Entered: 06/06/2011)
06/06/2011	<u>2</u>	RICO STATEMENT by NRP Holdings LLC, NRP Properties LLC. (DR) (Entered: 06/06/2011)
06/06/2011		Summons Issued as to All Defendants. (DR) (Entered: 06/06/2011)
06/06/2011		AUTOMATIC REFERRAL to Mediation (DR) (Entered: 06/06/2011)
06/06/2011	<u>3</u>	ADR Notice and Plan electronically forwarded to attorneys.(DR) (Entered: 06/06/2011)
06/08/2011	<u>4</u>	Original Summons Filed., SUMMONS Returned Executed by NRP Properties LLC, NRP Holdings LLC. All Plaintiffs. (Lane, Thomas) (Entered: 06/08/2011)
06/13/2011	<u>5</u>	Corporate Disclosure Statement by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 06/13/2011)
06/24/2011	<u>6</u>	NOTICE of Appearance by Terrence M. Connors on behalf of Bryon W. Brown, City of Buffalo (Connors, Terrence) (Entered: 06/24/2011)
06/24/2011	<u>7</u>	NOTICE of Appearance by James W. Grable, Jr on behalf of Bryon W. Brown, City of Buffalo (Grable, James) (Entered: 06/24/2011)
06/27/2011	<u>8</u>	STIPULATION re <u>1</u> Complaint ( <i>Extending time to answer, move, or otherwise respond</i> ) by Bryon W. Brown, City of Buffalo. (Connors, Terrence) (Entered: 06/27/2011)
06/27/2011	<u>9</u>	NOTICE of Appearance by John Leonard Sinatra, Jr on behalf of Buffalo Jeremiah Partnership for Community Development, Inc., Richard A. Stenhouse (Sinatra, John) (Entered: 06/27/2011)
06/27/2011	<u>10</u>	NOTICE of Appearance by Daniel C. Oliverio on behalf of Buffalo Jeremiah Partnership for Community Development, Inc., Richard A. Stenhouse (Oliverio, Daniel) (Entered: 06/27/2011)
06/29/2011	<u>11</u>	TEXT ORDER. The <u>8</u> Stipulation for Extension of Time for Defendants to Answer is HEREBY APPROVED. The Defendants' time to answer or otherwise make motions with respect to the Summons and Complaint is extended to 7/29/2011. Issued by William M. Skretny, Chief Judge U.S.D.C. on 6/28/2011. (CMD) (Entered: 06/29/2011)
07/28/2011	<u>12</u>	STIPULATION <i>Stipulated Order regarding mediation</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 07/28/2011)

08/02/2011	<u>13</u>	TEXT ORDER. The <u>12</u> Stipulated Order is HEREBY SO ORDERED. The Stipulation of Selection of Mediator is due by 8/31/2011. Mediation to be completed by 10/31/2011. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 8/1/2011. (CMD) (Entered: 08/02/2011)
08/31/2011	<u>14</u>	Stipulation-Selection of Mediator by Bryon W. Brown, City of Buffalo(Connors, Terrence) (Entered: 08/31/2011)
10/21/2011	<u>15</u>	STIPULATION <i>to extend time to complete mediation</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 10/21/2011)
10/27/2011	<u>16</u>	TEXT ORDER. The <u>15</u> Stipulated Order to extend time to complete mediation is HEREBY SO ORDERED. Mediation to be completed by 11/18/2011. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 10/25/2011. (CMD) (Entered: 10/27/2011)
11/17/2011	<u>17</u>	STIPULATION <i>to extend time to complete mediation</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 11/17/2011)
12/05/2011	<u>18</u>	TEXT ORDER. The <u>17</u> Stipulation to extend time to complete mediation is HEREBY SO ORDERED. Mediation to be completed by 12/2/2011. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 12/5/2011. (CMD) (Entered: 12/05/2011)
12/09/2011	<u>19</u>	Mediation Certification by Douglas S. Coppola(Coppola, Douglas) (Entered: 12/09/2011)
12/20/2011	<u>20</u>	STIPULATION <i>to establish deadlines for plaintiffs to amend complaint and for defendants to answer or otherwise respond to the complaint</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 12/20/2011)
12/22/2011	<u>21</u>	TEXT ORDER. The <u>20</u> Stipulated Order for Plaintiffs' to file an Amended Complaint is HEREBY SO ORDERED. Plaintiffs' Amended Complaint to be filed by 12/23/2011. Defendants shall answer, move against or respond to Plaintiffs' Amended Complaint by 1/13/2012. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 12/22/2011. (CMD) (Entered: 12/22/2011)
12/23/2011	<u>22</u>	AMENDED COMPLAINT by NRP Holdings LLC, NRP Properties LLC. <i>Amended Complaint.</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Amended Summons, # <u>7</u> Amended RICO Case Statement pursuant to Local Rule 9, # <u>8</u> Certificate of Service)(Lane, Thomas) Modified on 12/27/2011 to identify document filed (DR). (Entered: 12/23/2011)
12/27/2011	<u>23</u>	Summons Issued as to Steven M. Casey. (DR) (Entered: 12/27/2011)

12/29/2011	<u>24</u>	SUMMONS Returned Executed by NRP Properties LLC, NRP Holdings LLC. Steven M. Casey served on 12/27/2011, answer due 1/17/2012. (Lane, Thomas) (Entered: 12/29/2011)
01/13/2012	<u>25</u>	NOTICE of Voluntary Dismissal by NRP Holdings LLC, NRP Properties LLC (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 01/13/2012)
01/13/2012	<u>26</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Affidavit of Terrence M. Connors, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Memorandum in Support, # <u>7</u> Certificate of Service)(Connors, Terrence) (Entered: 01/13/2012)
01/13/2012	<u>27</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Demone A. Smith. (Attachments: # <u>1</u> Affidavit in support of motion, # <u>2</u> Certificate of Service)(Ball, Timothy) (Entered: 01/13/2012)
01/18/2012	<u>28</u>	TEXT ORDER. The <u>25</u> Voluntary Dismissal of Claims with prejudice as to Defendants, Richard A. Stenhouse and Buffalo Jeremiah Partnership for Community Development, Inc. is HEREBY SO ORDERED. The Clerk of Court is DIRECTED to terminate only Richard A. Stenhouse and Buffalo Jeremiah Partnership for Community Development, Inc. as parties. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 1/18/2012. (CMD) (Entered: 01/18/2012)
01/20/2012	<u>29</u>	SCHEDULING NOTICE on <u>26</u> <u>27</u> Motions to Dismiss. Responses due by 1/30/2012. Replies due by 2/9/2012. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 01/20/2012)
01/24/2012	<u>30</u>	MOTION for Extension of Time to File <i>Papers Opposing Motion to Dismiss (Motion for Expedited Consideration)</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Affirmation of Thomas S. Lane, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Certificate of Service)(Lane, Thomas) (Entered: 01/24/2012)
01/25/2012	<u>31</u>	TEXT ORDER - Presently before this Court is Plaintiffs' <u>30</u> Motion to Extend Time to File Papers Opposing Motion to Dismiss. Pursuant to this Court's 29 Scheduling Notice, Plaintiffs' response was originally due by January 30, 2012. IT HEREBY IS ORDERED that Plaintiffs' <u>30</u> Motion is GRANTED. Plaintiffs may file a response to Defendants' <u>27</u> Motion to Dismiss on or before February 29, 2012. Defendants may file a reply to Plaintiffs' Response on or before March 12, 2012. Oral argument will be scheduled by separate order, if necessary. Issued by Chief Judge William M. Skretny on 1/25/2012. (JCD) (Entered: 01/25/2012)
01/26/2012	<u>32</u>	TEXT ORDER - IT HEREBY IS ORDERED THAT Plaintiffs' <u>30</u> Motion for Extension of Time is GRANTED. Plaintiff's responses to the <u>26</u> and <u>27</u> Motions to Dismiss are now due by 2/29/2012. Defendants may file a reply by 3/14/2012. Issued by Chief Judge William M. Skretny on 1/25/2012. (JCD)

		(Entered: 01/26/2012)
02/29/2012	<u>33</u>	RESPONSE in Opposition re <u>27</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, <u>26</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Memorandum of Law, # <u>14</u> Certificate of Service)(Lane, Thomas) (Entered: 02/29/2012)
03/14/2012	<u>34</u>	***Please disregard-replaced with Document #36*** REPLY to Response to Motion re <u>26</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Reply Memorandum of Law</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Reply Declaration of Terrence M. Connors, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Certificate of Service)(White, Randall) Modified on 3/16/2012 (DR). (Entered: 03/14/2012)
03/14/2012	<u>35</u>	REPLY/RESPONSE to re <u>33</u> Response in Opposition to Motion, <i>Reply Declaration of Timothy A. Ball</i> filed by Demone A. Smith. (Attachments: # <u>1</u> Certificate of Service)(Ball, Timothy) (Entered: 03/14/2012)
03/14/2012		E-Filing Notification: Username and signature do not match (refer to Administrative Procedures Guide Section 1-3c). Action required: re-file document using same signature and password and file updated proof of service. <u>34</u> REPLY to Response to Motion re <u>26</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Reply Memorandum of Law</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Reply Declaration of Terrence M. Connors, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Certificate of Service)(White, Randall) (DR) (Entered: 03/15/2012)
03/16/2012	<u>36</u>	REPLY to Response to Motion re <u>26</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>Reply Memorandum of Law</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Reply Declaration of Terrence M. Connors, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Certificate of Service)(Connors, Terrence) (Entered: 03/16/2012)
04/04/2012	<u>37</u>	MOTION for Leave to File <i>Motion for Leave to Amend their Complaint and to Join Other Parties, and to Strike the Reply Declaration of Terrence M. Connors</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Affidavit Declaration of Thomas S. Lane, # <u>2</u> Exhibit A to TSL Declaration, # <u>3</u> Exhibit A Continuation to TSL Declaration, # <u>4</u> Memorandum in Support of Motion, # <u>5</u> Certificate of Service)(Perel, Nelson) (Entered: 04/04/2012)
04/05/2012	<u>38</u>	SCHEDULING NOTICE on <u>37</u> Motion for Leave to Amend and to Join Other Parties and to Strike Reply Declaration and Arguments. Responses due by

		4/23/2012. Replies due by 5/3/2012. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 04/05/2012)
04/18/2012	<u>39</u>	MOTION to Expedite, MOTION for Extension of Time to File Response/Reply as to <u>37</u> MOTION for Leave to File <i>Motion for Leave to Amend their Complaint and to Join Other Parties, and to Strike the Reply Declaration of Terrence M. Connors</i> by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Declaration of Terrence M. Connors, Esq., # <u>2</u> Certificate of Service)(Connors, Terrence) (Entered: 04/18/2012)
04/19/2012	<u>40</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the <u>39</u> Consent Motion for Extension of Time to File Response/Reply as to <u>37</u> Motion for Leave to Amend and to Join Other Parties and to Strike Reply Declaration, is GRANTED. Response is now due 5/7/2012. Reply is now due 5/21/2012. SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 4/18/2012. (CMD) (Entered: 04/19/2012)
05/07/2012	<u>41</u>	MEMORANDUM in Opposition re <u>37</u> MOTION for Leave to File <i>Motion for Leave to Amend their Complaint and to Join Other Parties, and to Strike the Reply Declaration of Terrence M. Connors</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Certificate of Service)(Connors, Terrence) (Entered: 05/07/2012)
05/21/2012	<u>42</u>	REPLY/RESPONSE to re <u>37</u> MOTION for Leave to File <i>Motion for Leave to Amend their Complaint and to Join Other Parties, and to Strike the Reply Declaration of Terrence M. Connors Plaintiffs' Reply Memorandum of Law and Reply Declaration</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Reply Declaration of Thomas S. Lane, # <u>2</u> Certificate of Service)(Lane, Thomas) (Entered: 05/21/2012)
07/12/2012	<u>43</u>	DECISION AND ORDER GRANTING the City of Buffalo Defendants' and Demone Smith's <u>26</u> <u>27</u> Motions to Dismiss with respect to NRP's first, third, and fifth causes of action and DENYING it with respect to NRP's second and fourth causes of action; GRANTING NRP's <u>37</u> Motion for Leave to Amend its Amended Complaint and Join BURA; DENYING as moot NRP's <u>37</u> Motion to Strike the Connors Reply Declaration; DIRECTING NRP to file its Second Amended Complaint seven days from the date of this Decision and Order. Signed by William M. Skretny, Chief Judge U.S.D.C. on 7/12/2012. (MEAL) (Entered: 07/12/2012)
07/18/2012	<u>44</u>	AMENDED COMPLAINT ( <i>Second</i> ) against Bryon W. Brown, Steven M. Casey, City of Buffalo, JOHN DOE 1 - 10, JOHN DOE COMPANIES 1 - 5, Demone A. Smith, City of Buffalo Urban Renewal Agency, filed by NRP Properties LLC, NRP Holdings LLC. (Attachments: # <u>1</u> Amended Summons) (Lane, Thomas) (Entered: 07/18/2012)
07/18/2012	<u>45</u>	CONTINUATION OF EXHIBITS by NRP Holdings LLC, NRP Properties LLC. to <u>44</u> Amended Complaint, <i>Exhibits A-E to Second Amended Complaint</i>

		filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E)(Lane, Thomas) (Entered: 07/18/2012)
08/01/2012	<u>46</u>	ANSWER to <u>44</u> Amended Complaint, ( <i>Second Amended Complaint</i> ) by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Certificate of Service)(Connors, Terrence) (Entered: 08/01/2012)
08/01/2012	<u>47</u>	ANSWER to <u>44</u> Amended Complaint, by Demone A. Smith. (Attachments: # <u>1</u> Certificate of Service)(Ball, Timothy) (Entered: 08/01/2012)
08/06/2012	<u>48</u>	TEXT REFERRAL ORDER - Hon. Leslie G. Foschio, United States Magistrate Judge, is hereby designated to act in this case as follows: Pursuant to 28 U.S.C. § 636(b)(1)(A), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall not hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), unless further ordered by this Court. All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. § 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED. Issued by Chief Judge William M. Skretny on 8/6/2012. (JCD) (Entered: 08/06/2012)
08/16/2012	<u>49</u>	ORDER. Scheduling Conference set for 10/10/2012 11:00 AM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 8/16/2012. (SDW) (Entered: 08/17/2012)
09/21/2012	<u>50</u>	AFFIDAVIT of Service for Summons in a Civil Action and Second Amended Complaint served on Byron W. Brown on September 7, 2012, filed by NRP Holdings LLC, NRP Properties LLC. (Davis, Mark) (Entered: 09/21/2012)
09/25/2012	<u>51</u>	AFFIDAVIT of Service for Summons in a Civil Action and Second Amended Complaint served on Buffalo Urban Renewal Agency on September 24, 2012, filed by NRP Holdings LLC, NRP Properties LLC. (Davis, Mark) (Entered: 09/25/2012)
09/26/2012	<u>52</u>	***Please disregard-replaced with Document #53*** Proposed Pretrial Order by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) Modified on 9/27/2012 (DR). (Entered: 09/26/2012)

09/27/2012	<u>53</u>	Proposed Pretrial Order by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Correspondence dated 9/26/2012, # <u>2</u> Certificate of Service)(Lane, Thomas) (Entered: 09/27/2012)
10/01/2012	<u>54</u>	NOTICE of Appearance by Terrance P. Flynn on behalf of City of Buffalo Urban Renewal Agency (Flynn, Terrance) (Entered: 10/01/2012)
10/01/2012	<u>55</u>	NOTICE of Appearance by Richard T. Sullivan on behalf of City of Buffalo Urban Renewal Agency (Sullivan, Richard) (Entered: 10/01/2012)
10/10/2012	<u>56</u>	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Scheduling Conference held on 10/10/2012. Parties shall serve their first set of interrogatories and document request by 11/9/2012; further Scheduling Conference set for 11/19/2012 11:00 AM before Hon. Leslie G. Foschio. Rule 26 disclosures due 11/30/2012. Appearances: Pltf-Thomas Lane, Esq., Nelson Perel, Esq.; Dft City, Brown & Casey-Randall White, Esq., Dft Smith-Timothy Ball, Esq., Dft BURA-Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 10/11/2012)
10/15/2012	<u>57</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on October 10, 2012, before Judge Leslie G. Foschio. Court Reporter/Transcriber Debra L. Potocki, Telephone number 843-723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 11/5/2012. Redacted Transcript Deadline set for 11/15/2012. Release of Transcript Restriction set for 1/14/2013. (DLC) (Entered: 10/15/2012)
10/15/2012	<u>58</u>	MOTION to Dismiss <i>Second Amended Complaint</i> by City of Buffalo Urban Renewal Agency. Responses due by 11/15/2012. (Attachments: # <u>1</u> Affidavit of Richard T. Sullivan, with exhibits, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service)(Sullivan, Richard) (Entered: 10/15/2012)
10/17/2012	<u>59</u>	SCHEDULING NOTICE on <u>58</u> Motion to Dismiss. Response due by 11/1/2012. Reply due by 11/13/2012. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 10/17/2012)
11/01/2012	<u>60</u>	RESPONSE in Opposition re <u>58</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A to Thomas S. Lane Declaration, # <u>3</u> Declaration of Aaron M. Pechota, # <u>4</u> Certificate of Service) (Lane, Thomas) (Entered: 11/01/2012)
11/13/2012	<u>61</u>	MEMORANDUM in Support re <u>58</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 11/13/2012)
11/19/2012	<u>62</u>	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Interim Pretrial Conference held on 11/19/2012. Further Scheduling Conference set

		for 2/7/2013 11:00 AM before Hon. Leslie G. Foschio. Appearances: Pltf-Thomas Lane, Esq., Nelson Perel, Esq.; Dft City of Buffalo, Mayor Brown, Steven Casey: Terrence Connors, Esq., Randall White, Esq.; Dft Demone Smith: Timothy Ball, Esq., Dft BURA: Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 11/21/2012)
11/30/2012	<a href="#"><u>63</u></a>	RULE 26 DISCLOSURE by City of Buffalo Urban Renewal Agency. (Attachments: # <a href="#"><u>1</u></a> Certificate of Service)(Sullivan, Richard) (Entered: 11/30/2012)
12/05/2012	<a href="#"><u>64</u></a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on November 19, 2012, before Judge Leslie G. Foschio. Court Reporter/Transcriber Debra L. Potocki, Telephone number 843-723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 12/26/2012. Redacted Transcript Deadline set for 1/7/2013. Release of Transcript Restriction set for 3/5/2013. (DLC) (Entered: 12/05/2012)
02/07/2013	<a href="#"><u>65</u></a>	SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Mandatory Disclosures due by 3/7/2013. Motions to Compel Discovery due by 12/6/2013. Discovery completed by 12/31/2013. Motions to Join Parties/Amend Pleadings due by 1/31/2014. Plaintiff Expert Witness ID due by 1/31/2014. Defendant Expert Witness ID due by 3/31/2014. Dispositive Motions due by 6/16/2014. Mediation To End by 7/18/2014. Final Pretrial Conference set for 7/23/2014 11:00 AM before Hon. Leslie G. Foschio.. Signed by Hon. Leslie G. Foschio on 2/7/2013. (SDW) (Entered: 02/08/2013)
02/07/2013	<a href="#"><u>66</u></a>	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Scheduling Conference held on 2/7/2013. Case management order discussed, same to be filed by the court. Appearances: Pltf-Thomas Lane, Esq., Nelson Perel, Esq., Dft City of Buffalo, Mayor Brown and Casey-Terrence Connors, Esq., Randall White, Esq., Dft Smith-Timothy Ball, Esq., Dft BURA-Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 02/08/2013)
02/25/2013	<a href="#"><u>67</u></a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 2/7/2013, before Judge Leslie G. Foschio. Court Reporter/Transcriber Christi A. Macri, Telephone number christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 3/18/2013. Redacted Transcript Deadline set for 3/28/2013. Release of Transcript Restriction set for 5/28/2013. (DLC) (Entered: 02/25/2013)

09/17/2013	<u>68</u>	DECISION AND ORDER GRANTING in part and DENYING in part Defendant BURA's <u>58</u> Motion to Dismiss. Signed by William M. Skretny, Chief Judge on 9/14/2013. (MEAL) (Entered: 09/17/2013)
11/14/2013	<u>69</u>	Joint MOTION for Extension of Time to Complete Discovery <i>to modify February 7, 2013 scheduling order to extend fact discovery</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A Dkt 65 Scheduling Order, # <u>3</u> Exhibit B Proposed Amended Scheduling Order, # <u>4</u> Certificate of Service)(Lane, Thomas) (Entered: 11/14/2013)
11/18/2013	<u>70</u>	MOTION for Default Judgment as to City of Buffalo Urban Renewal Agency by NRP Properties LLC, NRP Holdings LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service) (Lane, Thomas) (Entered: 11/18/2013)
11/19/2013	<u>71</u>	TEXT ORDER granting <u>69</u> Motion for Extension of Time to Complete Discovery. First Amended Scheduling Order shall be filed separately. Issued by Hon. Leslie G. Foschio on 11/19/2013. (SDW) (Entered: 11/19/2013)
11/19/2013	<u>72</u>	FIRST AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Motions to Compel Discovery due by 6/6/2014. Discovery completed by 6/30/2014. Plaintiff Expert Witness ID due by 7/31/2014. Defendant Expert Witness ID due by 9/30/2014. Dispositive Motions due by 12/16/2014. Mediation To End by 1/21/2015. Final Pretrial Conference set for 2/4/2015 11:00 AM before Hon. Leslie G. Foschio.. Signed by Hon. Leslie G. Foschio on 11/19/2013. (SDW) (Entered: 11/19/2013)
11/20/2013	<u>73</u>	ANSWER to <u>44</u> Amended Complaint, by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 11/20/2013)
11/21/2013	<u>74</u>	ADR Notice and Plan electronically forwarded to attorneys.(DLC) (Entered: 11/21/2013)
12/02/2013	<u>75</u>	RESPONSE in Opposition re <u>70</u> MOTION for Default Judgment as to City of Buffalo Urban Renewal Agency filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B - I, # <u>3</u> Exhibit J-K, # <u>4</u> Memorandum in Support, # <u>5</u> Certificate of Service)(Sullivan, Richard) (Entered: 12/02/2013)
12/09/2013	<u>76</u>	STIPULATION by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Certificate of Service)(Lane, Thomas) (Entered: 12/09/2013)
12/11/2013	<u>77</u>	TEXT ORDER. The <u>76</u> Stipulation withdrawing Plaintiffs' <u>70</u> Motion for Default Judgment against Defendant, Buffalo Urban Renewal Agency, is

		HEREBY SO ORDERED. Issued by William M. Skretny, Chief Judge U.S.D.C. on 12/10/2013. (CMD) (Entered: 12/11/2013)
05/23/2014	<u>78</u>	MOTION to Amend/Correct <u>72</u> Scheduling Order,, by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A-B, # <u>3</u> Certificate of Service)(Lane, Thomas) (Entered: 05/23/2014)
05/27/2014	<u>79</u>	TEXT ORDER granting <u>78</u> Motion to Amend or Correct. Second Amended Scheduling Order shall be filed separately. Issued by Hon. Leslie G. Foschio on 5/27/2014. (SDW) (Entered: 05/27/2014)
05/27/2014	<u>80</u>	SECOND AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Motions to Compel Discovery due by 10/7/2014. Discovery completed by 10/20/2014. Discovery Status Conference set for 10/22/2014 11:00 AM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 5/27/2014. (SDW) (Entered: 05/27/2014)
06/19/2014	<u>81</u>	MOTION to Compel by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A-E, # <u>3</u> Exhibit F-N, # <u>4</u> Exhibit O-U, # <u>5</u> Exhibit W-Z, # <u>6</u> Exhibit AA-DD, # <u>7</u> Exhibit EE, # <u>8</u> Exhibit FF-JJ, # <u>9</u> Exhibit KK-QQ, # <u>10</u> Exhibit RR-WW, # <u>11</u> Proposed Order, # <u>12</u> Memorandum in Support)(Lane, Thomas) (Entered: 06/19/2014)
06/20/2014	<u>82</u>	NOTICE of Appearance by Steven R. Hamlin on behalf of NRP Holdings LLC, NRP Properties LLC (Hamlin, Steven) (Entered: 06/20/2014)
06/23/2014	<u>83</u>	ORDER re <u>81</u> MOTION to Compel filed by NRP Properties LLC, NRP Holdings LLC. Responses due by 7/11/2014. Replies due by 7/17/2014. Oral Argument set for 7/23/2014 02:00 PM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 6/23/2014. (SDW) (Entered: 06/23/2014)
07/10/2014	<u>84</u>	MOTION to Amend/Correct <u>83</u> Order, Set Deadlines/Hearings,, by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Affidavit Affirmation of Richard T. Sullivan)(Sullivan, Richard) (Entered: 07/10/2014)
07/10/2014	<u>85</u>	CERTIFICATE OF SERVICE by City of Buffalo Urban Renewal Agency re <u>84</u> MOTION to Amend/Correct <u>83</u> Order, Set Deadlines/Hearings,, (Sullivan, Richard) (Entered: 07/10/2014)
07/10/2014	<u>86</u>	MOTION to Amend/Correct <u>83</u> Order, Set Deadlines/Hearings,, by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Declaration of Randall D. White, Esq., # <u>2</u> Certificate of Service)(Connors, Terrence) (Entered: 07/10/2014)
07/14/2014	<u>87</u>	TEXT ORDER re <u>81</u> MOTION to Compel filed by NRP Properties LLC, NRP Holdings LLC. Responses due by 7/17/2014. Replies due by 7/24/2014. Oral Argument set for 8/4/2014 02:00 PM before Hon. Leslie G. Foschio.

		Motions terminated: <u>86</u> MOTION to Amend/Correct <u>83</u> Order, Set Deadlines/Hearings, filed by Steven M. Casey, Bryon W. Brown, City of Buffalo, <u>84</u> MOTION to Amend/Correct <u>83</u> Order, Set Deadlines/Hearings, filed by City of Buffalo Urban Renewal Agency. Issued by Hon. Leslie G. Foschio on 7/14/2014. (SDW) (Entered: 07/14/2014)
07/17/2014	<u>88</u>	RESPONSE to Motion re <u>81</u> MOTION to Compel filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 07/17/2014)
07/17/2014	<u>89</u>	MEMORANDUM in Opposition re <u>81</u> MOTION to Compel filed by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Declaration of Randall D. White, Esq. in Opposition to Plaintiffs' Motion to Compel, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W, # <u>25</u> Exhibit X, # <u>26</u> Exhibit Y, # <u>27</u> Exhibit Z, # <u>28</u> Exhibit AA, # <u>29</u> Exhibit BB, # <u>30</u> Exhibit CC, # <u>31</u> Exhibit DD, # <u>32</u> Exhibit EE, # <u>33</u> Exhibit FF, # <u>34</u> Exhibit GG, # <u>35</u> Exhibit HH, # <u>36</u> Exhibit II, # <u>37</u> Exhibit JJ, # <u>38</u> Certificate of Service)(Connors, Terrence) (Entered: 07/17/2014)
07/17/2014	<u>90</u>	MOTION to Compel by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Declaration of Randall D. White, Esq., in Support of City Defendants' Motion to Compel, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Memorandum in Support, # <u>21</u> Certificate of Service) (Connors, Terrence) (Entered: 07/17/2014)
07/17/2014	<u>91</u>	DECLARATION signed by Ball, Timothy re <u>81</u> MOTION to Compel filed by Demone A. Smith filed by Demone A. Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Declaration of Megan N. Steele, Esq in Opposition to Plaintiffs' Motion to Compel, # <u>12</u> Certificate of Service)(Ball, Timothy) (Entered: 07/17/2014)
07/22/2014	<u>92</u>	TEXT ORDER re <u>90</u> MOTION to Compel filed by Steven M. Casey, Bryon W. Brown, City of Buffalo. Responses due by 8/15/2014. Replies due by 8/28/2014. Oral Argument set for 9/11/2014 02:00 PM before Hon. Leslie G. Foschio. Issued by Hon. Leslie G. Foschio on 7/22/2014. (SDW) (Entered: 07/22/2014)
07/24/2014	<u>93</u>	REPLY/RESPONSE to re <u>81</u> MOTION to Compel filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A-B)(Lane, Thomas) (Entered: 07/24/2014)

07/28/2014	<u>94</u>	TEXT ORDER re <u>81</u> MOTION to Compel filed by NRP Properties LLC, NRP Holdings LLC. Oral argument scheduled for 8/6/2014 at 2:00 p.m.; adjourned from 8/4/2014. Issued by Hon. Leslie G. Foschio on 7/28/2014. (SDW) (Entered: 07/28/2014)
08/06/2014	<u>95</u>	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Oral Argument held on 8/6/2014 re: Plaintiff's motion to compel <u>81</u> . Court reserved decision on outstanding issues. Parties to provide within 30 days a stipulation outlining which issues are resolved and which issues are still outstanding. Appearances: Pltf-Nelson Perel, Esq., Steve Hamlin, Esq.; Dft City of Buffalo, Brown and Casey-Terrence Connors, Esq., Randall White, Esq.; Dft Smith-Timothy Ball, Esq., Dft BURA-Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 08/07/2014)
08/15/2014	<u>96</u>	RESPONSE in Opposition re <u>90</u> MOTION to Compel filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A)(Lane, Thomas) (Entered: 08/15/2014)
08/25/2014	<u>97</u>	STIPULATION by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 08/25/2014)
08/28/2014	<u>98</u>	REPLY to Response to Motion re <u>90</u> MOTION to Compel <i>City Defendants' Reply Memorandum of Law in Support of Motion to Compel</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Certificate of Service)(Connors, Terrence) (Entered: 08/28/2014)
09/03/2014	<u>99</u>	TEXT ORDER. The Stipulation filed 8/25/2014 is APPROVED re <u>81</u> MOTION to Compel filed by NRP Properties LLC, NRP Holdings LLC and the motion is deemed withdrawn. Issued by Hon. Leslie G. Foschio on 9/3/2014. (SDW) (Entered: 09/03/2014)
09/05/2014	<u>101</u>	MOTION for Pro Hac Vice Admission of Megan N. Steele, Esq. by Defendant, Demone A. Smith. (Fee paid \$150.00 - Receipt No. BUF041734). (CMD) (Entered: 09/09/2014)
09/08/2014	<u>100</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 8/6/2014, before Judge Leslie G. Foschio. Court Reporter/Transcriber Karen J. Bush, Telephone number (585) 613-4312. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/29/2014. Redacted Transcript Deadline set for 10/9/2014. Release of Transcript Restriction set for 12/8/2014. (CMD) (Entered: 09/08/2014)
09/10/2014	<u>102</u>	TEXT ORDER granting <u>101</u> Motion for Pro Hac Vice for Megan Steele, Esq. Issued by Hon. Leslie G. Foschio on 9/10/2014. (SDW) (Entered: 09/10/2014)
09/11/2014	<u>103</u>	TEXT ORDER re <u>90</u> MOTION to Compel filed by Steven M. Casey, Bryon W. Brown, City of Buffalo. Oral Argument set for 9/23/2014 02:00 PM before

		Hon. Leslie G. Foschio, adjourned from 9/11/2014. Issued by Hon. Leslie G. Foschio on 9/11/2014. (SDW) (Entered: 09/11/2014)
09/23/2014	104	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Oral Argument held on 9/23/2014 on Defendant City of Buffalo, Brown,, case and Smith motion to compel <u>90</u> . Court reserves decision. Parties were directed to notify the court within 10 days if they have resolved some of the issues of the motion. Also, proposed amended scheduling order shall be provided within 10 days. Appearances: Pltf-Nelson Perel, Esq., Steve Hamlin, Esq.; Dft City of Buffalo, Brown and Casey-Randall White, Esq., Terrence Connors, Esq.; Dft Smith-Megan Steele, Esq.; Dft BURA-Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 09/23/2014)
10/03/2014	<u>105</u>	STIPULATION re <u>90</u> MOTION to Compel by NRP Holdings LLC, NRP Properties LLC. (Perel, Nelson) (Entered: 10/03/2014)
10/03/2014	<u>106</u>	STIPULATION re <u>80</u> Scheduling Order,, 104 Oral Argument,, <i>Proposed Stipulated Third Amended Scheduling Order</i> by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Certificate of Service)(Connors, Terrence) (Entered: 10/03/2014)
10/06/2014	107	TEXT ORDER APPROVING <u>105</u> Stipulation filed by NRP Properties LLC, NRP Holdings LLC. Motions terminated: <u>90</u> MOTION to Compel filed by Steven M. Casey, Bryon W. Brown, City of Buffalo.Issued by Hon. Leslie G. Foschio on 10/6/2014. (SDW) (Entered: 10/06/2014)
10/07/2014	<u>108</u>	THIRD AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Motions to Compel Discovery due by 6/8/2015. Discovery completed by 6/19/2015. Status Conference set for 6/25/2015 11:00 AM before Hon. Leslie G. Foschio.. Signed by Hon. Leslie G. Foschio on 10/7/2014. (SDW) (Entered: 10/07/2014)
05/14/2015	<u>109</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Notice of Joint Motion to Modify Scheduling Order to Extend Fact Discovery</i> by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Declaration of Randall D. White, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Certificate of Service)(Connors, Terrence) (Entered: 05/14/2015)
05/18/2015	110	TEXT ORDER granting <u>109</u> Motion for Extension of Time to Complete Discovery. Fourth Amended Scheduling Order shall be filed separately. Issued by Hon. Leslie G. Foschio on 5/18/2015. (SDW) (Entered: 05/18/2015)
05/18/2015	<u>111</u>	FOURTH AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)

		Motions to Compel Discovery due by 11/23/2015. Discovery completed by 12/14/2015. Discovery Status Conference set for 12/16/2015 11:00 AM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 5/18/2015. (SDW) (Entered: 05/19/2015)
06/24/2015	<u>112</u>	MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(c)</i> by Bryon W. Brown, Steven M. Casey, City of Buffalo, Demome A. Smith (Attachments: # <u>1</u> Affidavit Declaration of Terrence M. Connors, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Memorandum in Support, # <u>14</u> Certificate of Service)(Connors, Terrence) Modified on 6/25/2015 to add filer Demome A. Smith (SG). (Entered: 06/24/2015)
06/25/2015		E-Filing Notification: Modified on 6/25/2015 to add filer Demome A. Smith <u>112</u> MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(c)</i> (SG) (Entered: 06/25/2015)
06/30/2015	<u>113</u>	SCHEDULING NOTICE on Defendants' <u>112</u> Motion to Dismiss. Response due by 7/13/2015. Reply due by 7/23/2015. Oral Argument will be scheduled by the Court as necessary. (MEAL) (Entered: 06/30/2015)
07/09/2015	<u>114</u>	MOTION for Extension of Time to File Response/Reply by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration)(Hamlin, Steven) (Entered: 07/09/2015)
07/10/2015	<u>115</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the Plaintiffs' <u>114</u> Motion for an Extension of Time to file a response to Defendants' <u>112</u> Motion to Dismiss is GRANTED. Plaintiffs' response is now due 8/18/2015. Defendants' reply is now due 9/16/2015. SO ORDERED. Issued by William M. Skretny, United States District Judge on 7/10/2015. (MEAL) (Entered: 07/10/2015)
08/13/2015	<u>116</u>	MOTION to Dismiss <i>Pursuant to Fed. R. Civ. P. 12(c)</i> by City of Buffalo Urban Renewal Agency. Responses due by 8/24/2015. (Attachments: # <u>1</u> Affidavit of Richard T. Sullivan, Esq., # <u>2</u> Exhibit A to Declaration, # <u>3</u> Exhibit B to Declaration, # <u>4</u> Exhibit C to Declaration, # <u>5</u> Exhibit D to Declaration, # <u>6</u> Exhibit E to Declaration, # <u>7</u> Memorandum in Support, # <u>8</u> Certificate of Service)(Sullivan, Richard) (Entered: 08/13/2015)
08/14/2015	<u>117</u>	MOTION for Extension of Time to File Response/Reply as to 115 Order on Motion for Extension of Time to File Response/Reply, by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration)(Hamlin, Steven) (Entered: 08/14/2015)
08/18/2015	<u>118</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT Plaintiffs' <u>117</u> Motion for Modification of the Court's 115 Order is GRANTED. Responses to the Defendants' <u>112</u> <u>116</u> Motions to Dismiss are now due 9/9/2015. Replies are now due 10/9/2015. SO ORDERED. Issued by William M. Skretny, United States District Judge on 8/18/2015. (MEAL) (Entered: 08/18/2015)

09/02/2015	<u>119</u>	REQUEST AND ORDER GRANTING Plaintiffs permission to increase the page limit for a memorandum of law in response to Defendants' <u>112</u> <u>116</u> Motions for Dismiss. Plaintiffs' memorandum shall not exceed 35 pages. SO ORDERED. Issued by William M. Skretny, United States District Judge on 9/1/2015. (CMD) (Entered: 09/02/2015)
09/09/2015	<u>120</u>	RESPONSE in Opposition re <u>112</u> MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(c)</i> , <u>116</u> MOTION to Dismiss <i>Pursuant to Fed. R. Civ. P. 12(c)</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Memorandum in Support)(Lane, Thomas) (Entered: 09/09/2015)
10/09/2015	<u>121</u>	MOTION for Extension of Time to File Response/Reply as to 118 Order, Set/Reset Motion and R&R Deadlines/Hearings, Terminate Motions,,, by Bryon W. Brown, Steven M. Casey, City of Buffalo, City of Buffalo Urban Renewal Agency, Demone A. Smith. (Attachments: # <u>1</u> Declaration of Terrence M. Connors, Esq., # <u>2</u> Certificate of Service)(Connors, Terrence) (Entered: 10/09/2015)
10/13/2015	<u>122</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the <u>121</u> Motion for Extension of Time to File Defendants' Reply to <u>112</u> <u>116</u> Motions to Dismiss is GRANTED. Replies are now due by 10/20/2015. SO ORDERED. Issued by William M. Skretny, United States District Judge on 10/9/2015. (CMD) (Entered: 10/13/2015)
10/20/2015	<u>123</u>	REPLY to Response to Motion re <u>112</u> MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(c) Reply Declaration of Terrence M. Connors</i> filed by Bryon W. Brown, Steven M. Casey, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Reply Memorandum of Law)(Connors, Terrence) (Entered: 10/20/2015)
10/20/2015	<u>124</u>	REPLY to Response to Motion re <u>112</u> MOTION to Dismiss <i>Pursuant to Fed.R.Civ.P. 12(c) Reply Declaration of Richard T. Sullivan</i> filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Richard) (Entered: 10/20/2015)
11/05/2015	<u>125</u>	MOTION for Leave to File <i>Sur-Reply Memorandum of Law</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A)(Lane, Thomas) (Entered: 11/05/2015)
11/18/2015	<u>126</u>	Joint MOTION for Extension of Time to Complete Discovery by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> DECLARATION OF THOMAS S. LANE, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Lane, Thomas) (Entered: 11/18/2015)
11/19/2015	<u>127</u>	MEMORANDUM in Opposition re <u>125</u> MOTION for Leave to File <i>Sur-Reply Memorandum of Law</i> filed by Bryon W. Brown, Steven M. Casey, City of

		Buffalo, Demone A. Smith. (Connors, Terrence) (Entered: 11/19/2015)
11/26/2015	<u>128</u>	REPLY/RESPONSE to re <u>125</u> MOTION for Leave to File <i>Sur-Reply Memorandum of Law</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Lane, Thomas) (Entered: 11/26/2015)
12/03/2015	<u>129</u>	TEXT ORDER re <u>126</u> Joint MOTION for Extension of Time to Complete Discovery filed by NRP Properties LLC, NRP Holdings LLC. Motion Hearing/Status Conference set for 12/16/2015 11:00 AM before Hon. Leslie G. Foschio. Issued by Hon. Leslie G. Foschio on 12/3/2015. (SDW) (Entered: 12/03/2015)
12/16/2015	<u>130</u>	Minute and Order. Proceedings held before Hon. Leslie G. Foschio: Status Conference held on 12/16/2015; Motion Hearing held on 12/16/2015 re <u>126</u> Joint MOTION for Extension of Time to Complete Discovery filed by NRP Properties LLC, NRP Holdings LLC.Court grants <u>126</u> Motion for Extension of Time to Complete Discovery; Fifth Amended Scheduling Order shall be filed separately. Appearances: NRP Holdings:Thomas Lane, Esq.,Nelson Perel, Esq., Steven Hamlin, Esq.; City of Buffalo,Byron Brown and,Steven Casey: Terrence Connors, Esq., Randall White, Esq.; Demone Smith:Megan Steele, Esq.; Buffalo Urban Renewal: Richard Sullivan, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 12/16/2015)
12/16/2015	<u>131</u>	FIFTH AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Motions to Compel Discovery due by 5/27/2016. Discovery Status Conference set for 6/16/2016 11:00 AM before Hon. Leslie G. Foschio. Discovery completed by 6/30/2016.. Signed by Hon. Leslie G. Foschio on 12/16/2015. (SDW) (Entered: 12/16/2015)
12/28/2015	<u>132</u>	DECISION AND ORDER GRANTING in part and DENYING in part NRP's <u>125</u> Motion for Leave to File a Sur-reply; GRANTING in part and DENYING in part Defendants' <u>112</u> <u>116</u> Motions for Judgment on the Pleadings. Signed by William M. Skretny, United States District Judge on 12/17/2015. (MEAL) (Entered: 12/28/2015)
06/09/2016	<u>133</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Notice of Joint Motion to Modify Scheduling Order to Extend Fact Discovery</i> by Bryon W. Brown, Steven M. Casey, City of Buffalo. (Attachments: # <u>1</u> Affidavit Declaration of Randall D. White, Esq., # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Connors, Terrence) (Entered: 06/09/2016)
06/13/2016	<u>134</u>	TEXT ORDER granting <u>133</u> Motion for Extension of Time to Complete Discovery. Sixth Amended Scheduling Order shall be filed separately. Issued by Hon. Leslie G. Foschio on 6/13/2016. (SDW) (Entered: 06/13/2016)

06/14/2016	<u>135</u>	SIXTH AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference.) Discovery Status Conference set for 10/20/2016 11:00 AM before Hon. Leslie G. Foschio. Motions to Compel Discovery due by 12/9/2016. Discovery completed by 12/30/2016.. Signed by Hon. Leslie G. Foschio on 6/14/2016. (SDW) (Entered: 06/14/2016)
08/12/2016	<u>136</u>	Consent MOTION to Substitute Attorney by Bryon W. Brown, City of Buffalo.(Battle, Michael) (Entered: 08/12/2016)
08/17/2016	<u>137</u>	NOTICE of Appearance by Michael A. Brady on behalf of Bryon W. Brown, City of Buffalo, Demone A. Smith (Brady, Michael) (Entered: 08/17/2016)
08/17/2016	<u>138</u>	CERTIFICATE OF SERVICE by Bryon W. Brown, City of Buffalo, Demone A. Smith re <u>137</u> Notice of Appearance (Brady, Michael) (Entered: 08/17/2016)
08/17/2016	<u>139</u>	NOTICE of Appearance by Daniel J. Brady on behalf of Bryon W. Brown, City of Buffalo, Demone A. Smith (Brady, Daniel) (Entered: 08/17/2016)
08/17/2016	<u>140</u>	CERTIFICATE OF SERVICE by Bryon W. Brown, City of Buffalo, Demone A. Smith re <u>139</u> Notice of Appearance (Brady, Daniel) (Entered: 08/17/2016)
08/18/2016	<u>141</u>	Consent MOTION to Substitute Attorney by Demone A. Smith.(Battle, Michael) (Entered: 08/18/2016)
08/24/2016	<u>142</u>	MOTION for Extension of Time to Complete Discovery <i>and Modify Scheduling Order</i> by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Declaration of Michael Battle, # <u>2</u> Exhibit, # <u>3</u> Exhibit Proposed Scheduling Order, # <u>4</u> Certificate of Service)(Battle, Michael) (Entered: 08/24/2016)
08/25/2016	<u>143</u>	ORDER re <u>142</u> MOTION for Extension of Time to Complete Discovery <i>and Modify Scheduling Order</i> filed by Demone A. Smith, Bryon W. Brown, City of Buffalo. Responses due by 8/31/2016. Replies due by 9/7/2016. Oral argument at the discretion of the court. Signed by Hon. Leslie G. Foschio on 8/25/2016. (SDW) (Entered: 08/25/2016)
08/31/2016	<u>144</u>	AFFIRMATION re <u>142</u> MOTION for Extension of Time to Complete Discovery <i>and Modify Scheduling Order</i> filed by City of Buffalo Urban Renewal Agency filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 08/31/2016)
08/31/2016	<u>145</u>	DECLARATION signed by Thomas S. Lane re <u>142</u> MOTION for Extension of Time to Complete Discovery <i>and Modify Scheduling Order</i> filed by NRP Properties LLC, NRP Holdings LLC <i>Declaration of Thomas S. Lane</i> filed by NRP Properties LLC, NRP Holdings LLC. (Attachments: # <u>1</u> Exhibit

		A)(Lane, Thomas) (Entered: 08/31/2016)
09/06/2016	<u>146</u>	REPLY/RESPONSE to re <u>145</u> Declaration, <i>Attorney Reply Declaration</i> filed by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Battle, Michael) (Entered: 09/06/2016)
09/07/2016	<u>147</u>	Consent MOTION to Substitute Attorney by Steven M. Casey.(Personius, Rodney) (Entered: 09/07/2016)
09/07/2016	<u>148</u>	NOTICE of Appearance by Rodney O. Personius on behalf of Steven M. Casey (Personius, Rodney) (Entered: 09/07/2016)
09/07/2016	<u>149</u>	DECLARATION signed by Rodney O. Personius re <u>142</u> MOTION for Extension of Time to Complete Discovery and <i>Modify Scheduling Order</i> filed by Steven M. Casey . (Personius, Rodney) (Entered: 09/07/2016)
09/08/2016	<u>150</u>	DECISION and ORDER denying <u>142</u> Motion for Extension of Time to Complete Discovery. Signed by Hon. Leslie G. Foschio on 9/8/2016. (SDW) (Entered: 09/08/2016)
10/05/2016	<u>151</u>	TEXT ORDER granting <u>147</u> Motion to Substitute Attorney.. Issued by Hon. Leslie G. Foschio on 10/5/2016. (SDW) (Entered: 10/05/2016)
10/14/2016	<u>152</u>	MOTION for Summary Judgment by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Memorandum in Support Motion for Summary Judgment, # <u>2</u> Statement of Undisputed Facts, # <u>3</u> Affidavit Billman Affidavit and Exhibits, # <u>4</u> Affidavit Brown Affidavit, # <u>5</u> Affidavit Smith Affidavit, # <u>6</u> Affidavit Battle Declaration, # <u>7</u> Exhibit Volume 1, # <u>8</u> Exhibit Volume 2, # <u>9</u> Exhibit Volume 3, # <u>10</u> Exhibit Volume 4, # <u>11</u> Exhibit Volume 5, # <u>12</u> Exhibit Volume 6, # <u>13</u> Exhibit Volume 7, # <u>14</u> Exhibit Volume 8, # <u>15</u> Certificate of Service Certificate of Service)(Battle, Michael) (Entered: 10/14/2016)
10/17/2016	<u>153</u>	AMENDED DOCUMENT by Bryon W. Brown, City of Buffalo, Demone A. Smith. Amendment to <u>152</u> MOTION for Summary Judgment . (Attachments: # <u>1</u> Affidavit Declaration of Michael A. Battle in Support of Motion for Summary Judgment)(Battle, Michael) (Entered: 10/17/2016)
10/18/2016	<u>154</u>	MOTION to Strike <u>152</u> MOTION for Summary Judgment by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration Of Thomas S. Lane, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Lane, Thomas) (Entered: 10/18/2016)
10/18/2016	<u>155</u>	MOTION to appear pro hac vice <i>for Devin J. Stone</i> ( Filing fee \$ 150 receipt number 0209-2639258.) by Bryon W. Brown, City of Buffalo, Demone A. Smith.(Battle, Michael) (Entered: 10/18/2016)
10/19/2016	<u>156</u>	MOTION to Expedite <i>NRP's Motion to Strike the City Defendants motion for summary judgment</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A Proposed

		Order, # 3 Exhibit B)(Lane, Thomas) (Entered: 10/19/2016)
10/19/2016		Verified admission to the California State Bar for Attorney Devin James Stone. (NRE) (Entered: 10/19/2016)
10/19/2016	157	<p style="text-align: center;">TEXT ORDER</p> <p>Presently before this Court is Plaintiffs' <u>154</u> Motion to Strike Defendants' <u>152</u> Motion for Summary Judgment. Plaintiffs have also filed a <u>156</u> Motion to Expedite the Motion to Strike. IT HEREBY IS ORDERED, that the <u>156</u> Motion to Expedite is DENIED. Defendants' responses to Plaintiffs' <u>154</u> Motion to Strike are due by November 2, 2016. Plaintiffs' reply is due by November 9, 2016. Oral Argument will be scheduled by the Court as necessary.</p> <p style="text-align: center;">SO ORDERED.</p> <p>Issued by William M. Skretny, United States District Judge on 10/19/2016. (MEAL) (Entered: 10/19/2016)</p>
10/20/2016	158	TEXT ORDER granting <u>155</u> Motion for Pro Hac Vice for Devin J. Stone, Esq. Issued by Hon. Leslie G. Foschio on 10/20/2016. (SDW) (Entered: 10/20/2016)
10/20/2016	159	Minute Entry for proceedings held before Hon. Leslie G. Foschio: Status Conference held on 10/20/2016. Court discusses progress of discovery, outstanding dispositive motions. As there are no motions to stay discovery filed, the Scheduling Order filed 6/14/2016 <u>135</u> calling for fact discovery to be completed by 12/30/2016 remains in place. Appearances: Pltf: Nelson Perel, Esq. Dft City of Buffalo, Brown, Smith: Michael Brady, Esq. Michael Battle, Esq., Devin Stone, Esq.; Daniel Brady, Esq.; BURA- Nathan Geary, Esq.; Dft Casey: Rodney Personius, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 10/21/2016)
10/21/2016	<u>160</u>	NOTICE by Bryon W. Brown, City of Buffalo, Demone A. Smith <i>Notice of Motion for Stay of Discovery and Protective Order</i> (Battle, Michael) (Entered: 10/21/2016)
10/21/2016	<u>161</u>	MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Declaration of Michael Battle, # <u>2</u> Exhibit Vol. II)(Battle, Michael) (Entered: 10/21/2016)
10/24/2016	162	TEXT ORDER re <u>161</u> MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> filed by Demone A. Smith, Bryon W. Brown, City of Buffalo. Responses due by 11/4/2016. Replies due by 11/9/2016. Oral argument at the discretion of the court. Issued by Hon. Leslie G. Foschio on 10/24/2016. (SDW) (Entered: 10/24/2016)

10/27/2016	<u>163</u>	<p style="text-align: center;">TEXT ORDER</p> <p>Responses to, and resolution of, Defendants' <u>152</u> Motion for Summary Judgment is stayed pending resolution of Plaintiffs' <u>154</u> Motion to Strike. The parties should be prepared to respond promptly if so ordered following the resolution of the Motion to Strike.</p> <p style="text-align: center;">SO ORDERED.</p> <p>Issued by William M. Skretny, United States District Judge on 10/27/2016. (MEAL) (Entered: 10/27/2016)</p>
10/27/2016	<u>164</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on October 20, 2016, before Judge Leslie G. Foschio. Court Reporter/Transcriber Michelle L. McLaughlin, Telephone number 716-332-3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 11/17/2016. Redacted Transcript Deadline set for 11/28/2016. Release of Transcript Restriction set for 1/25/2017. (KLH) (Entered: 10/27/2016)
10/28/2016	<u>165</u>	MOTION for Summary Judgment by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit Exhibit A to Declaration, # <u>3</u> Memorandum in Support Memorandum of Law)(Sullivan, Richard) (Entered: 10/28/2016)
10/28/2016	<u>166</u>	MOTION for Summary Judgment <i>CERTIFICATE OF SERVICE</i> by City of Buffalo Urban Renewal Agency.(Sullivan, Richard) (Entered: 10/28/2016)
10/31/2016	<u>167</u>	RESPONSE in Opposition re <u>154</u> MOTION to Strike <u>152</u> MOTION for Summary Judgment filed by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit of Michael A. Battle, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Certificate of Service)(Battle, Michael) (Entered: 10/31/2016)
11/02/2016	<u>168</u>	RESPONSE in Opposition re <u>154</u> MOTION to Strike <u>152</u> MOTION for Summary Judgment <i>Declaration of Richard T. Sullivan</i> filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Richard) (Entered: 11/02/2016)
11/04/2016	<u>169</u>	DECLARATION re <u>161</u> MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> filed by City of Buffalo Urban Renewal Agency <i>Declaration of Richard T. Sullivan in support of Motion to Stay</i> filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 11/04/2016)
11/04/2016	<u>170</u>	AFFIDAVIT of Thomas S. Lane in Opposition re <u>161</u> MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u>

		Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V)(Lane, Thomas) (Entered: 11/04/2016)
11/04/2016	<u>171</u>	MEMORANDUM in Opposition re <u>161</u> MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> filed by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 11/04/2016)
11/09/2016	<u>172</u>	REPLY/RESPONSE to re <u>154</u> MOTION to Strike <u>152</u> MOTION for Summary Judgment <i>Reply Declaration of Thomas S. Lane</i> filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Reply Memorandum of Law)(Lane, Thomas) (Entered: 11/09/2016)
11/09/2016	<u>173</u>	RESPONSE in Support re <u>161</u> MOTION to Stay re <u>160</u> Notice (Other) <i>Motion for Stay of Discovery and Protective Order</i> filed by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Declaration of Michael A Battle in Support of City Defendants' Motion for Stay of Discovery and Protective Order)(Battle, Michael) (Entered: 11/09/2016)
11/15/2016	<u>174</u>	DECISION AND ORDER granting <u>161</u> Motion to Stay Further Discovery. Signed by Hon. Leslie G. Foschio on 11/15/2016. (SDW) (Entered: 11/15/2016)
11/17/2016	<u>175</u>	DECISION AND ORDER DENYING Plaintiffs' <u>154</u> Motion to Strike; SETTING a submission schedule on the pending <u>152</u> <u>166</u> Motions for Summary Judgment. Signed by William M. Skretny, United States District Judge on 11/17/2016. (MEAL) (Entered: 11/17/2016)
12/15/2016	<u>176</u>	MEMORANDUM in Opposition re <u>165</u> MOTION for Summary Judgment filed by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 12/15/2016)
12/15/2016	<u>177</u>	DECLARATION re <u>152</u> MOTION for Summary Judgment filed by NRP Properties LLC, NRP Holdings LLC filed by NRP Properties LLC, NRP Holdings LLC. (Attachments: # <u>1</u> Exhibit A-Z, # <u>2</u> Exhibit AA-PP, # <u>3</u> Exhibit QQ-RR, # <u>4</u> Statement of Undisputed Facts Response, # <u>5</u> Affidavit Casey, # <u>6</u> Pechota Declaration, # <u>7</u> ***DISREGARD - Refer to Corrected Document at dkt. #178)***Memorandum in Support Memorandum of Law)(Lane, Thomas) Modified on 12/16/2016 (KLH). (Entered: 12/15/2016)
12/16/2016	<u>178</u>	CONTINUATION OF EXHIBITS by NRP Holdings LLC, NRP Properties LLC. to <u>177</u> Declaration, <i>Correcting Docket No. 177-7</i> filed by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 12/16/2016)
12/16/2016		E-Filing Notification: Incorrect.pdf file attached to entry as attachment #7. Please disregard attachment #7 (memorandum) and refer to corrected document at dkt. #178. <u>177</u> DECLARATION re <u>152</u> MOTION for Summary

		Judgment filed by NRP Properties LLC, NRP Holdings LLC filed by NRP Properties LLC, NRP Holdings LLC. (Attachments: # 1 Exhibit A-Z, # 2 Exhibit AA-PP, # 3 Exhibit QQ-RR, # 4 Statement of Undisputed Facts Response, # 5 Affidavit Casey, # 6 Pechota Declaration, # 7 Memorandum in Support Memorandum of Law)(Lane, Thomas) (KLH) (Entered: 12/16/2016)
12/16/2016	<u>179</u>	CONTINUATION OF EXHIBITS by NRP Holdings LLC, NRP Properties LLC. to <u>177</u> Declaration, <i>Correcting Docket No. 177-7 and Docket No. 178</i> filed by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 12/16/2016)
12/19/2016	<u>180</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>175</u> Order, Set/Reset Motion and R&R Deadlines/Hearings, Terminate Motions by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit of Michael Battle, # <u>3</u> Text of Proposed Order)(Battle, Michael) (Entered: 12/19/2016)
12/20/2016	<u>181</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the <u>180</u> Motion for Extension of Time for the City Defendants to file their reply in support of their motion for summary Judgment by 14 days until 1/13/2017 is GRANTED. SO ORDERED. Issued by William M. Skretny, United States District Judge on 12/20/2016. (MEAL) (Entered: 12/20/2016)
12/22/2016	<u>182</u>	MOTION for Leave to File <i>the Declaration of Steven J. Weiss in opposition to the motion for summary judgment filed by Defendants City of Buffalo, Bryon W. Brown, and Demone A. Smith (City Defendants) (Dkt. 152) and the motion for summary judgment filed by the City of Buffalo Urban Renewal Agency (BURA) (Dkts. 165-166.)</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A)(Lane, Thomas) (Entered: 12/22/2016)
12/28/2016	<u>183</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the Plaintiffs' <u>182</u> Motion for Leave to file the Declaration of Steven J. Weiss in opposition to the motions for summary judgment is GRANTED. Said Declaration shall be filed no later than close of business on 12/29/2016. SO ORDERED. Issued by William M. Skretny, United States District Judge on 12/27/2016. (MEAL) (Entered: 12/28/2016)
12/28/2016	<u>184</u>	AFFIDAVIT of Steven J. Weiss in Opposition re <u>166</u> MOTION for Summary Judgment <i>CERTIFICATE OF SERVICE, 165 MOTION for Summary Judgment , 152 MOTION for Summary Judgment (City of Buffalo Urban Renewal Agency [Dkts 165-166]; and City of Buffalo, Bryon W. Brown, and Demone A. Smith [Dkt. 152])</i> filed by NRP Holdings LLC, NRP Properties LLC. (Hamlin, Steven) (Entered: 12/28/2016)
12/28/2016	<u>185</u>	MOTION for Leave to File Excess Pages by Bryon W. Brown, City of Buffalo, Demone A. Smith.(Brady, Michael) (Entered: 12/28/2016)

12/28/2016	<u>186</u>	CERTIFICATE OF SERVICE by Bryon W. Brown, City of Buffalo, Demone A. Smith re <u>185</u> MOTION for Leave to File Excess Pages (Brady, Michael) (Entered: 12/28/2016)
12/28/2016	<u>187</u>	AFFIDAVIT <i>Of Nelson Perel</i> in Opposition re <u>185</u> MOTION for Leave to File Excess Pages filed by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Exhibit A)(Perel, Nelson) (Entered: 12/28/2016)
12/29/2016	<u>188</u>	DECLARATION re <u>165</u> MOTION for Summary Judgment filed by City of Buffalo Urban Renewal Agency <i>in further support</i> filed by City of Buffalo Urban Renewal Agency. (Attachments: # <u>1</u> Certificate of Service)(Sullivan, Richard) (Entered: 12/29/2016)
12/30/2016	<u>189</u>	TEXT ORDER. IT HEREBY IS ORDERED THAT, the Defendants' <u>185</u> Motion to file a Reply Memorandum of 15 pages is GRANTED. SO ORDERED. Issued by William M. Skretny, United States District Judge on 12/30/2016. (MEAL) (Entered: 12/30/2016)
01/13/2017	<u>190</u>	REPLY to Response to Motion re <u>152</u> MOTION for Summary Judgment filed by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Affidavit Michael A. Battle, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Battle, Michael) (Entered: 01/13/2017)
01/13/2017	<u>191</u>	OBJECTIONS to Declaration, <u>177</u> <i>Plaintiffs' Response to Statement of Undisputed Facts</i> filed by Defendants Bryon W. Brown, City of Buffalo, Demone A. Smith.. (Battle, Michael) (Entered: 01/13/2017)
01/13/2017	<u>192</u>	OBJECTIONS to Declaration, <u>177</u> <i>Plaintiffs' Additional Statement of Material Facts</i> filed by Defendants Bryon W. Brown, City of Buffalo, Demone A. Smith.. (Battle, Michael) (Entered: 01/13/2017)
01/13/2017	<u>193</u>	CERTIFICATE OF SERVICE by Bryon W. Brown, City of Buffalo, Demone A. Smith re <u>191</u> Objections -- non-motion, <u>190</u> Reply to Response to Motion, <u>192</u> Objections -- non-motion (Battle, Michael) (Entered: 01/13/2017)
01/23/2017	<u>194</u>	MOTION for Leave to File <i>Sur-Sur-Reply Memorandum of Law</i> by NRP Holdings LLC, NRP Properties LLC. (Attachments: # <u>1</u> Declaration of Thomas S. Lane, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H)(Lane, Thomas) (Entered: 01/23/2017)
02/01/2017	<u>195</u>	RESPONSE in Opposition re <u>194</u> MOTION for Leave to File <i>Sur-Sur-Reply Memorandum of Law</i> filed by Bryon W. Brown, City of Buffalo, Demone A. Smith. (Attachments: # <u>1</u> Certificate of Service)(Battle, Michael) (Entered: 02/01/2017)
02/08/2017	<u>196</u>	MEMORANDUM in Support re <u>194</u> MOTION for Leave to File <i>Sur-Sur-Reply Memorandum of Law Plaintiffs Reply Memorandum of Law In Support Of Plaintiffs Motion For Leave to File A Sur-Reply</i> filed by NRP Holdings LLC, NRP Properties LLC. (Lane, Thomas) (Entered: 02/08/2017)

02/27/2017	<u>197</u>	DECISION AND ORDER GRANTING Defendants the City of Buffalo, Byron W. Brown, and Demone A. Smith's <u>152</u> Motion for Summary Judgment; GRANTING the City of Buffalo Urban Renewal Agency's <u>165</u> Motion for Summary Judgment; DISMISSING the claims against Steven M. Casey; DENYING Plaintiffs NRP Holdings LLC and NRP Properties LLC's <u>177</u> Motion for Additional Discovery; DENYING Plaintiffs NRP Holdings LLC and NRP Properties LLC's <u>194</u> Motion for Leave to file a Sur-reply; DIRECTING the Clerk of Court to close this case. Signed by the Hon. William M. Skretny, United States District Judge on 2/27/2017. (MEAL)  - CLERK TO FOLLOW UP - (Entered: 02/27/2017)
02/27/2017	<u>198</u>	JUDGMENT in favor of City of Buffalo, City of Buffalo Urban Renewal Agency, Bryon W. Brown, Demone A. Smith, Steven M. Casey against NRP Holdings LLC, NRP Properties LLC. Signed by Mary C. Loewenguth, Clerk of Court on 2/27/2017. (KLH) (Entered: 02/27/2017)
03/20/2017	<u>199</u>	NOTICE OF APPEAL as to <u>68</u> Order on Motion to Dismiss, <u>43</u> Order on Motion to Dismiss for Failure to State a Claim, Order on Motion for Leave to File,,, <u>197</u> Order on Motion for Summary Judgment,,, Order on Motion for Leave to File,,,,,, <u>132</u> Order on Motion to Dismiss,, Order on Motion for Leave to File,,, by NRP Holdings LLC, NRP Properties LLC. Filing fee \$ 505, receipt number 0209-2743766. Appeal Record due by 4/5/2017. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Perel, Nelson) (Entered: 03/20/2017)
03/21/2017		Pursuant to Local Rule 12.1 of the US Court of Appeals for the Second Circuit, Forms C and D must be completed within 14 days after the filing of a notice of appeal. Forms C and D can be obtained at www.ca2.uscourts.gov. (KLH) (Entered: 03/21/2017)

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